IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY,
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14320 of 2005

Between:

Faiz Mohammed Khan @ Rustum, S/o.Gul Mohammed khan,
R/o.19-2-24/19/C/3, Kalapathar, Hyderabad.

..... PETITIONER

AND

1 Govt. of Andhra Pradesh, rep.by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2 The Commissioner of police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or order or direction declaring the inaction of the first respondent in not disposing of the Appeal dated 20-4-2005 filed by the petitioner against the orders of the second respondent dated 4-4-2005 in proceedings No.SB(1) No.2/Ext/S-1/2005 as illegal, arbitrary and unconstitutional and pass such other order or orders as this Hon'ble court may deem fit and proper.

Counsel for the Petitioner:MR.K.SURESHREDDY

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following :

ORDER:

Exercising the powers under Section 26 (1) of Hyderabad City Police Act 1348 Fasli, the second respondent by the order dated 4-4-2005 externed the petitioner from Hyderabad and forbade him from entering the limits of Hyderabad city without a written permission of the Commissioner, while permitting him to so enter the city only for attending the courts as and when summoned.

Aggrieved by the said order, the petitioner preferred appeal to the 1st respondent on 20-4-2005 . The complaint of the petitioner is that the 1st respondent has not considered and disposed of the appeal. As the externment of the petitioner by order dated 4-4-2005 is for a period of six months and as the externment effects basic liberties of the petitioner, it is essential that the 1st respondent should expeditiously consider and dispose of the appeal.

The writ petition is accordingly allowed directing the 1st respondent to consider and dispose of the appeal of the petitioner expeditiously, in any event, within a period of two weeks from the date of receipt of a copy of this order. The 1st respondent shall give reasons for the decision and communicate the same to the petitioner within the aforesaid period. No order as to costs.

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Goda Raghuram,J

05/07/2005

Stp

To

1 Govt. of Andhra Pradesh, rep.by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2 The Commissioner of police, Hyderabad.

3. Two CCs to G.P. for Home, High Court Buildings,Hyderabad,(OUT).

4) 2 CD copies

5) 1 CC to MR.SURESHREDDY

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